

MEMO ENDORSED

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November 20, 2013

VIA ECF

Honorable Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

USDC-SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/20/13

Re: *Harbinger F&G, LLC v. OM Group (UK) Limited, No. 12 Civ. 5315 (RA),
Defendant's Letter Regarding Extension of Summary Judgment Briefing Schedule*

Dear Judge Abrams:

This firm represents Defendant OM Group (UK) Limited. I write pursuant to Rule 1.D of Your Honor's Individual Rules to request a short extension for the filing of the parties' reply briefs in connection with their motions for summary judgment in the above-captioned action. Under the schedule So Ordered by this Court (attached as Exhibit A), reply briefs are currently due on Tuesday, November 26, 2013. However, I am currently on trial before the Hon. Judge Alison J. Nathan, and it is unclear at this point whether the trial will conclude in advance of November 26. Accordingly, Defendant requests that the Court extend the deadline for both parties to file their reply brief until December 6, 2013. Plaintiff Harbinger F&G LLC has consented to this request for an extension.

This is the first request for an extension of the briefing schedule by either party.

APPLICATION GRANTED

SO ORDERED

RONNIE ABRAMS, U.S.D.J.

11/20/13

Respectfully submitted

Joseph T. Beato

cc: Daniel M. Abuhoff, Debevoise & Plimpton LLP (*Counsel for Plaintiff Harbinger F&G, LLC*)

Exhibit A

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September 3, 2013

VIA EMAIL

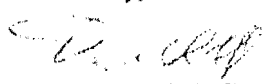
Honorable Ronnie Abrams
United States District Court
Southern District of New York
500 Pearl Street, Room 620
New York, NY 10007

Harbinger F&G, LLC v. OM Group (UK) Limited
No. 12 Civ. 5315 (RA), Joint Letter

Dear Judge Abrams:

Pursuant to the Court's direction at the July 12, 2013, conference, the parties have conferred about potential settlement and a briefing schedule for summary judgment. The parties were unable to reach a settlement and agreed additional discussion would not be productive at this time. The parties respectfully request the following briefing schedule for summary judgment: (i) motions are due by October 4, 2013; (ii) responses are due by November 5, 2013; and (iii) any reply is due by November 26, 2013.

Sincerely,


Daniel M. Abuhoff

cc: Joseph T. Baio
Benjamin P. McCallen
Tori Seigal
Casey E. Donnelly
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APPLICATION GRANTED
SO ORDERED


RONNIE ABRAMS, U.S.D.J.

9/4/13

Attorneys for Defendant OM Group (UK) Limited